


PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number Q77632	
Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	Filed	
	10/670,524	September 26, 2003	
	First Named Inventor		
	Koji SAKIYAMA		
	Art Unit	Examiner	
	2833	Felix O. FIGUEROA	
<p style="text-align: center;">WASHINGTON OFFICE 23373 CUSTOMER NUMBER</p>			
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal</p> <p>The review is requested for the reasons(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p><input checked="" type="checkbox"/> I am an attorney or agent of record.</p> <p>Registration number <u>59,153</u></p> <div style="text-align: right;">  _____ Signature </div> <div style="text-align: right;"> _____ Francis G. Plati, Sr. Typed or printed name </div> <div style="text-align: right;"> _____ (202) 293-7060 Telephone number </div> <div style="text-align: right;"> _____ September 2, 2009 Date </div>			

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77632

Koji SAKIYAMA, et al.

Appln. No.: 10/670,524

Group Art Unit: 2833

Confirmation No.: 6499

Examiner: Felix O. FIGUEROA

Filed: September 26, 2003

For: CONNECTING STRUCTURE FOR ACCESSORY DEVICE AND CABLE,
WATERPROOFING STRUCTURE FOR ACCESSORY DEVICE, AND MOUNTING
STRUCTURE FOR ACCESSORY DEVICE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the Examiner's Final Office Action dated May 4, 2009, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Applicant turns now to the rejections at issue:

Claims 1, 3, 7, 8, 10, 11, 16, 17, 19, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,652,293 to Fuchs *et al.* ("Fuchs") in view of U.S. Patent No. 5,443,403 to Weidler *et al.* ("Weidler").

Independent claims 1 and 3 recite a board side connecting portion and a terminal side connecting portion formed at a proximal end of a housing, and at least one discrete connection terminal disposed in the housing and having a proximal end which is exposed on the board side connecting portion and a distal end which is exposed on the terminal side connecting portion,

wherein the proximal end of the discrete connection terminal forms electrical connection to a circuit board which is provided on the board side connecting portion, and the distal end of the discrete connection terminal forms electrical connection to at least one conductor of a flat cable at the terminal side connecting portion.

The Examiner alleges that Fuchs discloses all of the features of independent claims 1 and 3 except for a flat cable configuration allegedly disclosed by Weidler. Applicant respectfully submits that the Examiner broadly construes the Fuchs reference in a manner which is inconsistent with the claim language.

In particular, the Examiner construes the pocket 25 formed in the interior of the connector body 18 of Fuchs as the claimed board side connecting portion formed at a proximal end of the housing, and construes the wiring seats 34, which are also formed in the interior of the connector body 18, as the claimed terminal side connecting portion formed at a proximal end of the connector housing. Further, contact 16 of Fuchs passes through the printed circuit board 22 into a wire 14 of cable 15 at the interior of the connector body 18, not at a proximal end of the housing as required by the claims.

Thus, the alleged board side and terminal side connecting portions of Fuchs, which the Examiner improperly construes, are positioned in the interior central portion of the connector body 18, not located at a proximal end of the connector housing as required by the claims. In addition, the Examiner construes connection terminal 16 as having a distal end 27 and a proximal end 28. However, contrary to the Examiner's construction, it can clearly be seen from the figures of Fuchs that the split and spread portion 28 which the Examiner construes as the proximal end of the connector 16 is not a proximal end of the connection terminal forming an electrical

FIG. 3

FIG.3

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuchs in view of Weidler and U.S. Patent No. 5,238,426 to Arnett ("Arnett"). The Examiner alleges that Arnett discloses the claimed mounting portion and retainer for mounting the housing to a receiving member.

Claim 4 contains features analogous to the features recited in claims 1 and 3, therefore the arguments set forth above for claims 1 and 3 regarding Fuchs and Weidler apply as well to claim 4. Applicant respectfully submits that Arnett does not cure the deficiencies of Fuchs and Weidler with respect to the above-described features of the board side and terminal side connecting portions of the present invention. Since the combined references fail to disclose all of the claimed features, the rejection of claim 4 over the combination of Fuchs, Weidler, and Arnett is in error and should be withdrawn.

Claims 5, 6, 9, 12, 18, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuchs, Weidler and Arnett, as applied to claim 4 and further in view of Archer (US 5,125,852). The Examiner alleges that Archer teaches the mounting and retaining features claimed in the dependent claims.

Dependent claims 5, 6, 9, 12, 15, 18 and 21 incorporate the above-noted features of a board side connecting portion and a terminal side connecting portion of claim 4 which, as established above, are not disclosed or suggested by the combination of Fuchs, Weidler and Arnett. Archer does not cure these deficiencies of the Fuchs-Weidler-Arnett combination.

The Examiner relies on Archer only to allegedly disclose that peripheries of a mounting hole are held between a collar and a distal end of a housing after it has been mounted in the retainer. However, Archer is silent as the above-noted features which are deficient in the Fuchs-Weidler-Arnett combination.

Since the combined references fail to disclose or suggest all of the claimed features, the rejection of claims 5, 6, 9, 12, 15, 18 and 21 over the combination of Fuchs, Weidler, Arnett and Archer is in error and should be withdrawn.

In view of the above, Applicant respectfully submits that the cited references, individually or in combination fail to disclose or suggest at least the features of “a board side connecting portion and a terminal side connecting portion formed at a proximal end of said housing,” and “at least one discrete connection terminal disposed in the housing and having a proximal end which is exposed on the board side connecting portion and a distal end which is exposed on the terminal side connecting portion, ... wherein the proximal end of said discrete connection terminal forms electrical connection to a circuit board which is provided on the board side connecting portion, and the distal end of the discrete connection terminal forms electrical connection to at least one conductor of the flat cable at the terminal side connecting portion,” as recited by the independent claims and incorporated into the dependent claims by virtue of their dependencies.

Applicant respectfully submits that the rejections of claims 1-21 are in error and should be withdrawn for at least these reasons.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 2, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis G. Plati, Sr.", written over a horizontal line.

Francis G. Plati, Sr.
Registration No. 59,153